

Climate Smart Communities Certification Program



Certification Manual

PLEDGE ELEMENT 6: REDUCE GREENHOUSE GAS EMISSIONS THROUGH USE OF CLIMATE-SMART LAND-USE TOOLS

Minimize the greenhouse gas impact of new development. Update or adopt community plans, land-use policies, building codes, and multi-modal transportation actions to reduce sprawl, vehicle miles traveled, and protect open lands, wetlands and forests.

Action #	Action Name	Action Pathway Phase	Possible Points	Priority
Pledge Element 6: Reduce greenhouse gas emissions through use of climate-smart land-use tools			109	
Develop a Plan			9	
6.1	Develop and adopt a comprehensive plan with sustainability elements	Assess, Plan & Govern	9	
Land Use and Building Codes			31	
6.2	Incorporate smart growth principles into land-use policies and regulations	Assess, Plan & Govern	8	
6.3	Adopt a renewable energy ordinance	Assess, Plan & Govern	4	
6.4	Establish green building codes	Assess, Plan & Govern	6	
6.5	Create resource-efficient site design guidelines	Assess, Plan & Govern	4	
6.6	Incentivize renewable energy and energy efficiency projects	Assess, Plan & Govern	5	
6.7	Adopt land-use policies that support or incentivize farmers' markets, community gardens and urban and rural agriculture	Assess, Plan & Govern	4	
Resource-efficient Transportation			52	
6.8	Adopt green parking lot standards	Assess, Plan & Govern	4	
6.9	Adopt a complete streets policy	Assess, Plan & Govern	4	

Action #	Action Name	Action Pathway Phase	Possible Points	Priority
6.10	Implement strategies that support bicycling and walking	Implement	10	
6.11	Install electric-vehicle infrastructure	Implement	8	
6.12	Implement strategies that increase public transit ridership and alternative transport modes	Implement	10	
6.13	Implement a Safe Routes to School program	Implement	3	
6.14	Implement traffic calming measures	Implement	5	
6.15	Adopt and enforce an anti-idling ordinance	Assess, Plan & Govern	3	
6.16	Implement transportation technology solutions	Implement	5	
Natural Resource and Open Space Preservation			17	
6.17	Develop a natural resource inventory	Assess, Plan & Govern	5	
6.18	Develop a local forestry or tree planting project or program	Implement	6	
6.19	Preserve natural areas through zoning or other regulations	Assess, Plan & Govern	6	

Please note: The recertification requirements for each action are subject to change in future versions of the CSC Certification Manual.

Develop a Plan

6.1 DEVELOP AND ADOPT A COMPREHENSIVE PLAN WITH SUSTAINABILITY ELEMENTS

Pending finalization of review procedures, documentation of this action cannot be accepted at this time.

Action pathway phase: Assess, Plan and Govern

Eligibility timeline: Within 10 years prior to the application date

Total possible points: 9

A. Why is this action important?

Comprehensive plans or master plans provide a vision, goals and strategies for how a community wants to grow over a 10 to 20 year period. Almost 70% of the state’s cities, towns, and villages have a comprehensive plan¹. A resource-efficient comprehensive plan should address how to sustain a community through thoughtful planning and decision making that balances the three “E’s”: environment, economy, and equity. Sustainability elements, including both greenhouse gas emission

¹ NYS Legislative Commission on Rural Resources, Survey of Land Use Planning & Regulations in NYS (2008).

reductions and community resilience, can be incorporated in the development of a new or updated comprehensive plan or local governments can adopt a sustainability amendment to their existing plans.

B. How to implement this action

Local governments are responsible for planning in a number of areas, including housing, transportation, water, open space, waste management, energy, disaster preparedness, and long-term sustainability and resilience. In New York State these planning efforts can be combined into a comprehensive plan that can guide future development through zoning regulations and steer local government investments. Incorporating the principles of sustainability and smart growth, and accounting for a changing climate will save time and money, ensure alignment around the planned actions, and create a resource-efficient vision for the future. If a local government is creating a new or updated comprehensive plan, the steps in Figure 1 can be followed to incorporate sustainability into the process. As with all planning processes, public outreach and engagement are essential throughout the creation of the plan.

Figure 1: Planning Process for a Resource-efficient Comprehensive Plan

Public Outreach and Engagement	Baseline Assessment	Develop Goals	Identify and Evaluate Strategies	Integration
<ul style="list-style-type: none"> •Develop communications strategy •Identify key stakeholders •Launch outreach (i.e., social media, public meetings) •Define what sustainability means to the community 	<ul style="list-style-type: none"> •Analyze existing conditions for: <ul style="list-style-type: none"> •Land Use •Economic Development •Housing •Energy •Transportation •Natural, Cultural and Historic Resources 	<ul style="list-style-type: none"> •Use media and survey tools to capture the community's vision •Set goals with stakeholders and subcommittees •Ensure goals address the three "E"s of sustainability •Develop new goals to address sustainability definition 	<ul style="list-style-type: none"> •Conduct research on national best practices •Facilitate strategy identification process •Develop evaluation criteria and evaluate strategies •Prioritize strategies •Develop new strategies to achieve new sustainability goals 	<ul style="list-style-type: none"> •Develop draft plan for review by the community •Integrate comments •Develop sustainability reporting metrics •Finalize the plan

Some local governments are embracing sustainability after their comprehensive plans are completed. Instead of rewriting the entire plan, many local governments adopt a sustainability element or adopt other plans as amendments to their full comprehensive plans. The planning process for an amendment to a comprehensive plan typically mirrors the process outlined above, although the scope will be focused on the particular amendment topic, such as a bike and pedestrian plan, and the timeline and level of effort will be shorter than with an update to a comprehensive plan. While creating an amendment doesn't ensure that the sustainability principles are incorporated throughout the entire plan, this approach does show commitment to principles of sustainability. Either way, credit can be received for incorporating sustainability into these broader plans.

Most comprehensive plans have traditionally covered the essential topics of land use and transportation, housing, and economic development with some basic discussion of environmental issues and other locally relevant priority topics. A resource-efficient comprehensive plan not only includes these elements, but also covers the following topics related to sustainability:

- Promote alternative transportation options (bicycle, pedestrian, public transit)
- Promote smart growth principles in land-use policies
- Conserve natural areas
- Protect public health and safety
- Foster green economic development
- Promote energy efficiency and renewable energy production
- Ensure the efficient use of natural resources
- Remedy environmental justice issues
- Promote development or conservation of local food systems
- Strive for social equity in housing, schools, green space and food and transportation options
- Minimize solid waste and promote recycling and composting
- Protect drinking water sources
- Minimize stormwater run-off
- Promote climate adaptation and resilience

CSCs are encouraged to contact the New York State Department of State (DOS) Division of Local Services for training, technical assistance and legal guidance on comprehensive planning (<http://www.dos.ny.gov/lg/index.html>) and the New York State Department of Transportation (DOT) for guidance regarding transportation projects (<https://www.dot.ny.gov/about-nysdot/contact>) .

C. Timeframe, project costs, and resource needs

If the local government is starting from the beginning with its comprehensive planning process, it will take about eighteen months to complete the plan. Communities often hire a consultant to undertake a comprehensive plan. Project costs can range from tens to hundreds of thousands of dollars to facilitate a full comprehensive planning process. An amendment to an existing comprehensive plan is likely to cost less than a new plan and in some cases may be done by local planning staff.

D. Which local governments implement this action? Which departments within the local government are most likely to have responsibility for this?

Any local government can complete a resource-efficient comprehensive plan. Town boards, village boards, and city or common councils authorize the development of comprehensive plans. Most communities appoint a comprehensive plan committee to coordinate the development of the plan and work with a planning consultant who will facilitate the planning process. If your community has a planning department, it would typically be involved as well. Other municipal committees, such as conservation advisory councils or environmental commissions, can be included to help gather data or provide recommendations on natural resource issues.

E. How to obtain points for this action

Points are obtained by completing and adopting a resource-efficient comprehensive plan that addresses the following required and optional elements. The required elements are high priority

elements that should be included in any comprehensive plan, and are therefore not eligible for points in this action.

If integrating with a new comprehensive planning effort, any of the following elements will be considered “incorporated” and therefore eligible for points if goals, strategies, and reporting metrics have been identified specifically for that element. If the local government is developing a new element to attach as an addendum to a previously approved comprehensive plan, the element must include goals, strategies, and reporting metrics specific to the element and the adoption of the element must be formalized and documented.

<u>A resource-efficient comprehensive plan should the following elements:</u>	<u>Possible Points</u>
• Promote alternative transportation options (Bicycle, Pedestrian, public transit)	Required
• Promote smart growth principles in land-use policies	Required
• Conserve natural areas	Required
• Protect public health and safety	Required
• Foster green economic development	1
• Promote energy efficiency and renewable energy production	1
• Protect the resource-efficient use of natural resources	1
• Remedy environmental justice concerns	1
• Promote development or conservation of local food systems	1
• Strive for social equity in housing, schools, green space and food and transportation options	1
• Minimize solid waste and promote recycling and composting	1
• Protect drinking water sources	1
• Minimize stormwater runoff	1
• Promote climate adaptation and resilience	1

F. What to submit

For new or updated comprehensive plans, submit the following:

- A copy of the approved comprehensive plan with sustainability elements, adopted within ten years prior to the application date
- A copy of the meeting minutes where the plan was formally approved by the local governing body
- A memorandum outlining how sustainability was incorporated into the plan

For addendums to previously approved plans, submit the following:

- A copy of the approved elements
- A copy of the meeting minutes where the elements were formally approved by the local governing body as addendums to the existing comprehensive plan

G. Links to additional resources or best practices

- Albany, NY - 2030 Plan: <http://albany2030.org/>

- Ithaca, NY - Comprehensive Plan:
<http://www.ci.ithaca.ny.us/values/sustainability/comprehensive-plan.cfm>
- Southampton, NY – Sustainability Element Update to the Comprehensive Plan:
<http://www.southamptontownny.gov/content/760/762/1122/1674/7185/default.aspx>
- Buffalo, NY – Comprehensive Plan:
http://www.ci.buffalo.ny.us/files/1_2_1/mayor/cob_comprehensive_plan/index.html
- American Planning Association, Integrating Sustainability Into the Comprehensive Plan:
<http://www.planning.org/pas/quicknotes/pdf/QN33.pdf>
- Church, D., and C. Traub. 2002. A Practical Guide to Comprehensive Planning, 2nd edition. New York Planning Federation. Troy, N.Y. www.nypf.org
- McElfish, J. 2004. Nature-Friendly Ordinances. Environmental Law Institute, Washington, D.C. Available for purchase at www.elistore.org.
- New York State Department of State. 1998. Creating the Community You Want: Municipal Options for Land Use Control. James A. Coon Local Government Technical Series. New York State Department of State. Albany, N.Y.
- New York State Department of State. 2004. Guide to Planning and Zoning Laws of New York State. James A. Coon Local Government Technical Series. New York State Department of State. Albany, N.Y. www.dos.state.ny.us/lgss/
- Nolon, J. 2002. Well Grounded: Using Local Land Use Authority to Achieve Smart Growth. Environmental Law Institute, Washington, D.C.
- Van Tine, J. [ed.] 2003. Local Environmental Strategies. Starting Ground Series. Pace University Land Use Law Center. White Plains, N.Y. www.law.pace.edu/landuse

H. Recertification requirements

The recertification requirements are the same as the initial certification requirements.

Land Use and Building Codes

6.2 INCORPORATE SMARTH GROWTH PRINCIPLES INTO LAND-USE POLICIES AND REGULATIONS

Pending finalization of review procedures, documentation of this action cannot be accepted at this time.

Action pathway phase: Assess, Plan and Govern

Eligibility timeline: Any time prior to the application date

Total possible points: 8

A. Why is this action important?

Most cities and counties have use-based zoning codes that segregate otherwise complementary residential, office, and retail (mixed) uses thereby encouraging a car-centric system of development. By updating local zoning and policies, local governments can encourage smart growth by promoting

transit oriented development, compact walkable communities, infill development, and other resource-efficient land-use practices. Smart growth principles applied to zoning can also help protect important open space and natural areas, preserving ecological functions such as stormwater management and flood mitigation in addition to enhancing recreation opportunities.

B. How to implement this action

Local governments can incorporate smart growth principles into their land-use policies by comprehensively updating the local zoning, or through amendments or policies that promote smart growth. Following a specific approach such as form-based codes, which place a primary emphasis on building type, dimensions, parking location and façade features, and less emphasis on uses, is one method of incorporating smart growth into local zoning.

Often, a comprehensive update to local zoning takes place concurrently or subsequent to an update to the community's comprehensive plan, but it is not necessary to update the comprehensive plan to incorporate smart growth principles into zoning. It is possible to incorporate smart growth principles into local land-use policies through a complementary planning process, such as a local waterfront revitalization plan, or to incorporate the principles into the project review process, such as at the site plan review stage.

Local governments can follow the key steps below to implement this action:

- Review existing zoning codes and policies and identify elements that support smart growth, and elements which inhibit smart growth
- Determine the most suitable approach for updating local land-use policies, either through amendments, a comprehensive zoning update, new policies, or changes to the project review process
- Draft new elements or policies to promote smart growth
- Gather public input on the new elements or policies
- Adopt the new zoning, policies, or processes

Local governments should include provisions in the updated zoning or policies which address the following smart growth principles:²

- Mix land uses
- Promote compact building design and cluster development
- Create a range of housing opportunities and choices
- Create walkable neighborhoods
- Foster distinctive, attractive communities with a strong sense of place
- Preserve open space, farmland, natural beauty, and important natural areas, including floodplains, source water recharge areas and watersheds
- Strengthen and direct development toward existing communities
- Provide a variety of transportation choices
- Make development decisions predictable, fair and cost effective
- Encourage community and stakeholder collaboration in development decisions

² Smart Growth Network, Smart Growth Principles: <http://www.smartgrowth.org/why.php>

The New York State Smart Growth Public Infrastructure Policy Act provides similar smart growth criteria that can also be incorporated into local land-use regulations (<http://public.leginfo.state.ny.us/lawsseaf.cgi?querytype=laws+&querydata=@slenv0a6+&list=law+&browser=browser+&token=35281392+&target=view>).

CSCs are encouraged to contact the New York State Department of State Division of Local Services for training, technical assistance and legal guidance on smart growth (<http://www.dos.ny.gov/lg/index.html>) and the New York State Department of Transportation (DOT) for guidance regarding transportation projects (<https://www.dot.ny.gov/about-nysdot/contact>).

C. Timeframe, project costs, and resource needs

The timing, costs, and resource needs depend on the extent to which the zoning must be updated to incorporate smart growth principles. For a comprehensive update to local zoning, communities might consider hiring a consultant and combining the zoning update with an update to the community’s comprehensive plan, if applicable. For communities which only need to update portions of the zoning code, this could be addressed with local government staff and planning committee or other external advisors.

D. Which local governments implement this action? Which departments within the local government are most likely to have responsibility for this?

The planning department typically is responsible for local planning and zoning. Communities that do not have their own planning departments may have to rely on a planning board or the county planning department to provide local planning and zoning guidance. Local government committees, such as CSC task force, conservation advisory councils or environmental conservation committees may also be involved.

E. How to obtain points for this action

Local governments can earn points for this action by demonstrating that the following smart growth principles have been incorporated into local zoning, land-use policies, or processes.

	<u>Possible Points</u>
• Mix land uses	1
• Promote compact building design and cluster development	1
• Diversity of housing opportunities and choices	1
• Walkable neighborhoods	1
• Foster distinctive, attractive communities with a strong sense of place	1
• Preserve open space, farmland, natural beauty, and important natural areas	1
• Strengthen and direct development toward existing community centers, hamlets or urban areas	1
• Promote density that facilitates non-car transportation options	1

To be eligible for points for this action, local governments are not required to incorporate these policies into their zoning or comprehensive plan; however, they are encouraged to do so to reduce the risk of legal challenges.

F. What to submit

Local governments should submit a link or copy of the updated zoning or associated policies and an explanation of how the zoning meets the defined smart growth principles. The zoning may have been updated at any time prior to the application date to be eligible for points.

G. Links to additional resources or best practices

- Smart Growth Online: <http://www.smartgrowth.org/>
- EPA Smart Growth Guidance and Best Practices: <http://www.epa.gov/smartgrowth/codeexamples.htm>
- New York State Smart Growth Public Infrastructure Policy Act: <http://public.leginfo.state.ny.us/LAWSSEAF.cgi?QUERYTYPE=LAWS+&QUERYDATA=@SLENV0A6+&LIST=LAW+&BROWSER=BROWSER+&TOKEN=06349431+&TARGET=VIEW>
- Form-Based Code Institute Sample Codes: <http://formbasedcodes.org/sample-codes-search.php>
- Smart Code Central: <http://www.smartcodecentral.org/>
- Tompkins County pedestrian neighborhood zone model ordinance: <http://community-that-works.org/>
- Floating zone model ordinance: <http://www.usgbc.org/resources/neighborhood-development-floating-zone>
- LEED ND Planners Guide and Model Ordinance: <http://www.usgbc.org/resources/leed-nd-planners-guide-amp-model-ordinance>

H. Recertification requirements

The recertification requirements are the same as the initial certification requirements.

6.3 ADOPT A RENEWABLE ENERGY ORDINANCE

Action pathway phase: Assess, Plan and Govern

Eligibility timeline: Any time prior to the application date

Total possible points: 4

A. Why is this action important?

Renewable energy, which includes wind, hydro, solar, geothermal and biomass, reduces greenhouse gas emissions by replacing fossil fuels in the generation of electricity. According to recent estimates, renewables have the potential to meet as much as 40 percent of energy needs in New York State by 2030.³ Adopting ordinances that support development of renewable energy and remove barriers to installing renewable energy technologies will help local governments achieve the statewide goal and, ultimately, reduce greenhouse gas emissions.

B. How to implement this action

Renewable energy ordinances can serve various purposes from allowing installation to streamlining the permitting and approvals of generation systems. There are a number of steps which need to be followed in order to enact an ordinance. This is a collaborative effort and requires participation from the local government attorney, local government officials, citizens, the local legislators and the clerk

3 NYS Department of Environmental Conservation: <http://www.dec.ny.gov/energy/40899.html>

of the local legislative body. Before beginning the process, the following questions must be addressed:

1. Does the proposed subject matter of the local law fall within the general or specific grants of power contained in the Municipal Home Rule Law or elsewhere?
2. Are there restrictions, limitations or prohibitions which would militate against the exercise of such power?
3. Is there overriding general law on the subject or has the state pre-empted the field?

As with any change in local laws and policies, please consult with the municipal or local government attorney for guidance on drafting and enacting the desired policy. CSCs are encouraged to consult with DOS's Office of General Counsel regarding renewable energy ordinances (<http://www.dos.ny.gov/cnsl/counsel.htm>) .

The process for adopting a solar permitting ordinance has been significantly simplified through the NY Sun Initiative Standard PV Permit for New York State Local Officials: <http://ny-sun.ny.gov/Local-Community-Tools>. Other model ordinances for wind energy, as provided below, can also be used to assist the drafting of a broader local ordinance encompassing wind and other renewable energy technologies. Pursuant to New York State Education Law, structural and electrical elements must be designed by a licensed design professional (e.g., architect, engineer).

C. Timeframe, project costs, and resource needs

Adopting a local ordinance is time consuming and requires participation and cooperation from a variety of stakeholders. Consult the local government attorney first to determine the timeframe and resources necessary to begin this process.

D. Which local governments implement this action? Which departments within the local government are most likely to have responsibility for this?

Local governments with legislative authority can draft and enact an ordinance allowing renewable energy facilities. Planning departments (or planning boards) and local government attorneys are the primary stakeholders responsible for this action after an ordinance is adopted.

E. How to obtain points for this action

Points are achieved by drafting and passing an ordinance or multiple ordinances for one or more renewable energy systems:

	<u>Possible Points</u>
• Adopt the New York State Unified Solar Permit: http://ny-sun.ny.gov/Local-Community-Tools	2
• Adopt wind-power siting ordinances for large wind energy conversion systems	1
• Adopt wind-power siting ordinances for small and very small wind energy conversion systems	1

Wind ordinances should be substantially equivalent to the relevant components of the Columbia Law School's Center for Climate Change Law's Model Municipal Wind Siting Ordinance (<http://web.law.columbia.edu/climate-change/resources/model-ordinances/model-municipal-wind-siting-ordinance>) or other appropriate model provided by the CSC program or other New York State program.

To be eligible for points for this action, local governments are not required to incorporate these policies into their zoning or comprehensive plan; however, they are encouraged to do so to reduce the risk of legal challenges.

Any local enactment to supersede the state building code will require approval by the State Fire Prevention and Building Code Council (http://www.dos.ny.gov/dcea/code_council.html) .

F. What to submit

In order to obtain points for this action a local government must send an electronic copy or link that includes the language for the ordinance and demonstrates that it has been approved by the local governing body. Proof that the code provisions of the ordinance have been approved by the State Codes Council must also be provided. The ordinance may have been passed (or updated) at any time prior to the application date.

G. Links to additional resources or best practices

- NY Sun Initiative: <http://ny-sun.ny.gov/Local-Community-Tools>
- Model municipal wind siting ordinance (Columbia University): <http://web.law.columbia.edu/climate-change/resources/model-ordinances/model-municipal-wind-siting-ordinance>
- Model small-scale solar siting ordinance (Columbia University): <http://web.law.columbia.edu/climate-change/resources/model-ordinances/model-small-scale-solar-siting-ordinance>
- Suffolk County Model Geothermal Permitting Code: <http://www.li-geo.org/geothermal-code/>
- Massachusetts Model As-of-Right Zoning Bylaws:
 - Solar: <http://www.mass.gov/eea/docs/doer/green-communities/grant-program/solar-model-bylaw-mar-2012.pdf>
 - Wind: <http://www.mass.gov/eea/docs/doer/green-communities/grant-program/wind-model-bylaw-mar-2012.pdf>

H. Recertification requirements

The recertification requirements are the same as the initial certification requirements.

6.4 ESTABLISH GREEN BUILDING CODES

Action pathway phase: Assess, Plan and Govern

Eligibility timeline: Within 5 years prior to the application date

Total possible points: 6

A. Why is this action important?

Green building codes set a standard for all new construction and major modifications for buildings that can have a long-term effect on reducing energy use and greenhouse gas emissions in a community.

B. How to implement this action

Local governments should first review their existing codes and regulations and identify any requirements that might preclude or inhibit green building and energy efficiency. In addition, local governments might consider forming a green codes task force of representatives with an interest and expertise in energy efficiency and building codes, to work on updating the codes. Local governments should review the New York Energy Conservation Construction Code of New York State (ECCCNYS 2010), ASHRAE 90.1, ASHRAE 189.1, UCC-IGCC 2012IECC, and other best practice resources to inform the code update process.

ECCCNYS 2010 addresses the design and construction of energy-efficient building envelopes and the installation of energy-efficient mechanical, lighting and power systems through requirements emphasizing performance⁴. Local governments may adopt their own energy conservation requirements after notifying the state, but these requirements must be no less restrictive than the current ECCCNYS. All proposed revisions to local building codes should be reviewed by the Department of State Division of Building Standards and Codes.

Care should be taken to ensure that green building codes provide the flexibility to account for the challenges inherent in upgrading existing buildings and, in particular, historic structures.

Any local enactment to supersede the state building code will require approval by the State Fire Prevention and Building Code Council (http://www.dos.ny.gov/dcea/code_council.html).

C. Timeframe, project costs, and resource needs

Costs associated with developing new codes can vary from internal staff time to consultant time for review.

D. Which local governments implement this action? Which departments within the local government are most likely to have responsibility for this?

Local governments with legislative authority can draft and enact a revised building code. Building departments and local government attorneys are the primary officials responsible for this action, although local governments would benefit from involvement of external experts in the building field. Municipal committees, such as CSC task force, conservation advisory councils or environmental conservation committees may also be involved.

E. How to obtain points for this action

Adopt a local green building ordinance substantially equivalent to the Columbia Law School's Center for Climate Change Law's Model Municipal Green Building Ordinance (http://web.law.columbia.edu/sites/default/files/microsites/climate-change/files/Resources/Model-Ordinances/Model-Green-Building/Model%20Municipal%20Green%20Building%20Ordinance_wcommentary.pdf) covering both new construction and major modifications.

	<u>Possible Points</u>
• Government owned buildings	1
• Commercial buildings	2

4 NY Department of State, Division of Code Enforcement and Administration: http://www.dos.ny.gov/DCEA/energycode_code.html

- High-rise multi-family residential buildings 1
- One and two-family dwellings 1
- Low-rise multi-family residential dwellings 1

F. What to submit

In order to obtain points for this action, a local government must submit an electronic copy or link to the green building code as adopted within the last five years. Proof that the proposed code change was reviewed and approved by the State Code Council must also be provided.

G. Links to additional resources or best practices

- ECCCNY 2010: http://www.dos.ny.gov/dcea/energycode_code.html
- ECCCNY 2010 Overview Presentation: http://www.preservenys.org/energyworkshops/wp-content/uploads/2012/05/Pres_JHill4_17.pdf
- Model municipal green building ordinance (Columbia University): <http://web.law.columbia.edu/climate-change/resources/model-ordinances/model-municipal-green-building-ordinance>
- Urban Green Council NYC Green Codes Task Force: <http://www.urbangreencouncil.org/GreenCodes>
- Babylon Green Building Certification Code: [http://ecode360.com/6806042?highlight=green building,buildings,building#6806042](http://ecode360.com/6806042?highlight=green%20building,buildings,building#6806042)
- Greenburgh Home Energy Conservation Requirements: <http://www.greenburghny.com/cit-e-access/webpage.cfm?tid=10&tpid=1748>
- EPA, Smart Growth and Sustainable Preservation of Existing and Historic Buildings: http://www.epa.gov/dced/topics/historic_pres.htm

H. Recertification requirements

The recertification requirements are the same as the initial certification requirements.

6.5 CREATE RESOURCE-EFFICIENT SITE DESIGN GUIDELINES

Pending finalization of review procedures, documentation of this action cannot be accepted at this time.

Action pathway phase: Assess, Plan and Govern

Eligibility timeline: Within 10 years prior to the application date

Total possible points: 4

A. Why is this action important?

Resource-efficient site design guidelines can help to ensure that communities are effectively managing stormwater, reducing the urban heat-island effect, adapting the infrastructure to changing climate conditions, improving neighborhood environments, increasing economic development, and minimizing the use of natural resources. Site guidelines can help improve the quality of design for new development and also streamline the site design review process, when developers have clear guidelines of the design priorities and vision for the community.

B. How to implement this action

Local governments may wish to develop resource-efficient site design guidelines as a standalone effort, or it might be part of a process to update a comprehensive plan, or perhaps an outcome of a comprehensive plan update. The goal of the guidelines is to present the community's vision and design priorities to communicate to developers and streamline the development process.

The New York State Legislature provides authority for use of design standards and guidelines for aesthetic and other purposes. Towns can enact aesthetic and other related regulations pursuant to the New York State Municipal Home Rule Law § 10(1)(ii)(a)(11), which states that a municipality may adopt local laws for the "protection and enhancement of its physical and visual environment." This provides municipalities with the flexibility to establish a variety of measures for new development projects such as requiring the management of stormwater onsite, the upgrading of old infrastructure to meet changing conditions or to control private property appearance. Municipalities may also enact such measures under section 96-a of the New York State General Municipal Law.

Generally, aesthetics are considered an aspect of the public welfare under the police power, and aesthetics are proper considerations for subdivision approval, use and area variances, site plans, and special use permits. The use of design guidelines, therefore, is well grounded in statute and case law.

CSCs are encouraged to contact the New York State Department of State Division of Local Services for training, technical assistance and legal guidance on site design (<http://www.dos.ny.gov/lg/index.html>).

C. Timeframe, project costs, and resource needs

Drafting resource-efficient site design guidelines could take six to nine months, depending on the level of staff time dedicated to the project and the level of detail desired in the documentation. The costs for the effort are primarily staff time. Local governments may also seek to engage other local experts on committees to support the drafting of the guidelines.

D. Which local governments implement this action? Which departments within the local government are most likely to have responsibility for this?

Local governments with legislative authority can draft and enact design standards or guidelines. Planning departments (or planning boards) and local government attorneys are typically responsible for this action. Municipal committees, such as CSC task force, conservation advisory councils or environmental conservation committees may also be involved.

E. How to obtain points for this action

Points are achieved by drafting and passing resource-efficient design guidelines. The guidelines must include the following topics, to be eligible for points:

	<u>Possible Points</u>
• Vegetation	1
• Hydrology and Soils	1
• Materials in Site and Landscape Design	1
• Site Disturbance	1

F. What to submit

Local governments should submit an electronic copy or website link of the design guidelines which have been developed within the last ten years to receive points for this action.

G. Links to additional resources or best practices

- New York State Department of State training: <http://www.dos.ny.gov/lg/lut/courses.html>
- The American Society of Landscape Architect's Sustainable Sites Initiative: <http://www.sustainablesites.org/>
- New York, NY, Sustainable Urban Site Design Manual: http://www.nyc.gov/html/ddc/downloads/pdf/ddc_sd-sitedesignmanual.pdf
- Town of Warwick, NY Design Guidelines: http://www.townofwarwick.org/departments/compplan_docs/design_guidelines.pdf

H. Recertification requirements

The recertification requirements are the same as the initial certification requirements.

6.6 INCENTIVIZE RENEWABLE ENERGY AND ENERGY EFFICIENCY PROJECTS

Action pathway phase: Assess, Plan and Govern

Eligibility timeline: Currently active

Total possible points: 5

A. Why is this action important?

Offering incentives to residents and businesses can help to reduce, and in some cases almost eliminate, the implementation costs of renewable energy systems and energy efficiency projects.

B. How to implement this action

There are a number of incentives that can be offered to encourage renewable energy installation and energy efficiency projects. The following steps can help the local government must first determine where to begin:

- What are the goals for incentivizing renewable energy installations and/or energy efficiency projects?
- Is the focus on renewable energy or energy efficiency? Or both?
- Are the incentives going to be offered to residents? Businesses? Or both?
- What financial and human resources does the local government have to implement and manage the incentives it would like to offer?
- Are there legal limitations in New York State to implementing the types of incentives that the local government would like to offer?

These questions will help to determine the type(s) of incentives that the local government should implement to encourage renewable energy and energy efficiency projects.

C. Timeframe, project costs, and resource needs

The local government should consider hiring a consultant to develop the incentives program and consult the local government attorney to determine the appropriate legal course of action to implement it.

D. Which local governments implement this action? Which departments within the local government are most likely to have responsibility for this?

Any local government can implement this action. Depending on the type of incentive, the primary departments that are responsible for implementing this action would be the planning department, planning board, legislative body, and the local government attorney.

E. How to obtain points for this action

Adopt renewable energy or energy efficiency incentive(s) program.

F. What to submit

Local governments must submit documentation outlining the incentive program(s) including the following:

- The process that was undertaken to adopt the program
- Who is managing the program
- Eligibility
- Success to-date (where applicable)

The program must have been implemented within the last five years and be actively managed.

G. Links to additional resources or best practices

- Town of Babylon, NY, Long Island Green Homes Program: <http://ligreenhomes.com/>
- Town of Riverhead, NY Energy Conservation Device Permitting Discount: http://www.dsireusa.org/incentives/incentive.cfm?Incentive_Code=NY42F&State=federal¤tpageid=1&ee=0&re=0
- Local Option: Solar Sales Tax Exemption: http://www.dsireusa.org/incentives/incentive.cfm?Incentive_Code=NY100F&State=federal¤tpageid=1&ee=0&re=0

H. Recertification requirements

The recertification requirements are the same as the initial certification requirements.

6.7 ADOPT LAND-USE POLICIES THAT SUPPORT OR INCENTIVIZE FARMERS' MARKETS, COMMUNITY GARDENS, AND URBAN AND RURAL AGRICULTURE

Action pathway phase: Assess, Plan and Govern

Eligibility timeline: Any time prior to the application date

Total possible points: 4

A. Why is this action important?

Local governments have begun to take an interest in agriculture as a way to address food security, promote public health, support economic and community development, and to improve the urban environment. Increasing the availability of local foods is also an important strategy being used to reduce greenhouse gas emissions from the long distance transport of food into a region. Rural communities can also promote and preserve agricultural areas through agriculture plans or districts or land preservation.

B. How to implement this action⁵

According to the March 2010 issue of *Zoning Practice*, published by the American Planning Association, “In zoning, urban agriculture can be treated either as a district or as a use category.” Local zoning regulations commonly permit a wide range of agricultural activities, including raising crops and animals, in designated agricultural districts in rural areas or on the urban fringe. *Zoning Practice* advises that urban agriculture can also be treated as a use or set of uses that are permitted, conditional, or forbidden, depending on the district. Both of these approaches have benefits, but it depends on the needs and goals of the local government to determine which is the most useful to accomplish local goals.

Local governments with urban areas investigating changes to zoning ordinance or policies should consider several questions:

- What are the possible urban agriculture activities in our community?
- What can be allowed in a widespread way with little controversy and what is controversial?
- What can be allowed, but controlled?
- What can be allowed, but only in certain places?
- Are there some places where specific activities should be encouraged?
- Who are the likely participants and how can positive relationships be fostered?

Rural communities may choose to focus on preserving local agricultural areas through agriculture plans, agriculture districts, or partnerships with land trusts to buy agriculture easements.

CSCs are encouraged to consult with DOS’s Office of General Counsel regarding policies to incentivize farmers’ markets, community gardens, and urban and rural agriculture (<http://www.dos.ny.gov/cnsl/counsel.htm>),

C. Timeframe, project costs, and resource needs

This action can be implemented with assistance from a professional planner on staff. For many communities, changes in zoning ordinances and policies can take up to a year to conduct background research, review existing ordinance language, draft new language, consult with a local government attorney and pass new or revised legislation. Consultants and Cooperative Extensions are very helpful resources in crafting the language and determining the most appropriate policy changes to accomplish local goals.

5 Information in this section was taken from an excerpt of the March 2010 issue of *Zoning Practice*, published by the American Planning Association: <http://www.cityfarmer.info/2010/03/09/zoning-for-urban-agriculture/>

D. Which local governments implement this action? Which departments within the local government are most likely to have responsibility for this?

This action is relevant to any local government. The planning department (or planning board) and local government attorney are the primary officials responsible developing draft language for adoption and for implementing the new policy. The town board, village board, or city or common council will be responsible for adopting new regulations. County governments may develop incentives or assist local governments in adopting these policies.

E. How to obtain points for this action

To obtain points for this action, the local government must update the local zoning ordinance or adopt new policies that incentivize, promote, or remove barriers to local farmers’ markets, the creation of community gardens, and urban and rural agricultural practices.

	<u>Possible Points</u>
• Local farmers’ markets or farm stands	1
• Community gardens	1
• Urban agriculture	1
• Rural agriculture	1

To be eligible for points for this action, local governments are not required to incorporate these policies into their zoning or comprehensive plan; however, they are encouraged to do so to reduce the risk of legal challenges.

F. What to submit

The revised zoning ordinance or new policy must be submitted electronically to receive points for this action. Local governments must submit a memorandum highlighting the specific sections of the zoning or ordinance that support or incentivize farmers’ markets, community gardens, and urban or rural agriculture.

G. Links to additional resources or best practices

- NY Department of Agriculture and Markets: <http://www.agriculture.ny.gov/>
- American Planning Association, Zoning for Urban Agriculture: <http://www.planning.org/zoningpractice/2010/pdf/mar.pdf>
- Sustainable Cities Institute, Promoting Urban Agriculture: Zoning: http://www.sustainablecitiesinstitute.org/view/page.basic/report/feature.report/Report_Zoning_Urb_Ag
- New York State Codes, Right to Farm: <http://codes.lp.findlaw.com/nycode/AGM/25-AA/308>
- GrowNYC: <http://www.grownyc.org/>

H. Recertification requirements

The recertification requirements are the same as the initial certification requirements.

Resource-efficient Transportation

6.8 ADOPT GREEN PARKING LOT STANDARDS

Action pathway phase: Assess, Plan Govern

Eligibility timeline: Any time prior to the application date

Total possible points: 4

A. Why is this action important?

Parking lots, comprised mostly of pavement, have been a dominant feature of our communities to accommodate the automobile. Green parking lot standards are designed to reduce the environmental impacts of these sites on our communities by incorporating a variety of features, including reduced impervious surface, green infrastructure techniques, and alternative parking surface materials.

B. How to implement this action

By applying innovative approaches to planning and design, communities can mitigate the impacts of parking lots. Green parking lot standards are implemented by updating the local zoning code or through the adoption of an ordinance. There are a variety of techniques that can be incorporated into local zoning or policies to create green parking lot standards, these best management practices include the following:

- **Reduce minimum parking requirements** – this can be based on project location or population and allows the local government to encourage projects that are located adjacent to public transit to reduce the demand for parking spaces or implementation of transportation demand management programs which encourage residents to use alternative modes of transportation (e.g., transit, carpooling, biking).
- **Adopt parking maximums and/or area wide parking restrictions** – this technique limits the number of parking spaces in a development or across a larger area (i.e., downtown or a transit oriented development) which can help to maintain the marketability of sites in a district.
- **Reduce stall dimensions** – creating more compact parking spaces and accurate stall size requirements that fit the growing trend in the number of smaller cars on the road.
- **In-lieu parking fees** – an option fee is paid by developers in place of meeting minimum parking requirements. The fees paid by developers are often allocated to local government funds that are established to mitigate traffic impacts or used to provide existing government off-site parking to the tenants and visitors of the new development.
- **Incorporate stormwater management on site** – green infrastructure techniques manage stormwater on site through the use of bio-swales, vegetated buffer strips and bioretention areas.
- **Install colored curb zone markings** – street curb striping or painting is used in drop-off and pick-up zones to clarify parking and other curb use rules. They are generally used to address competing needs, assist in moving people and goods more efficiently, support the vitality of business districts, and create livable neighborhoods. In business districts that include blocks with mixed-use buildings containing residential units, they provide for more efficient transit operations, commercial freight deliveries, and short-term parking flexibility for retail establishments.
- **Install green loading zones** – to encourage the use of zero-emissions vehicles and idle-free solutions. Creation of dedicated zero-emissions curbside loading zone spaces encourages freight and logistics companies to shift toward zero-emissions vehicles. In addition to the health and environmental benefits, green loading zones can produce additional benefits by developing increased roadway capacity, supporting electric-vehicle deployment and usage, and enabling better management, monitoring, and potential monetization of curbside

pavement. Green loading zones also provide economic development support for the growing electric-vehicle and related industries in New York State.

- **Use alternative parking surface materials** – a variety of paving materials have been developed to mitigate the environmental impacts of parking lots. Permeable and semi-permeable alternative pavers such as bricks, gravel, pervious concrete, and turf blocks allow infiltration of stormwater directly into the ground. Using recycled materials, such as reprocessed asphalt or crushed glass, is also an alternative for both environmental and economic reasons.
- **Minimize land cleared for construction** – conserve as much of the vegetation and habitat on site and use native trees and shrubs that require less irrigation.
- **Promote shared parking** – share parking lots with complementary users that need the lot at different times.
- **Increase tree plantings in parking areas** – to support stormwater management and provide shading to reduce the urban heat-island effect.

As with any local zoning ordinance modification, please consult with the local government attorney to determine the appropriate language and process for incorporating these standards. CSCs are encouraged to contact the New York State Department of State Division of Local Services for training, technical assistance and legal guidance on green parking lot standards (<http://www.dos.ny.gov/lg/index.html>) and the New York State Department of Transportation (DOT) for guidance regarding transportation projects (<https://www.dot.ny.gov/about-nysdot/contact>).

C. Timeframe, project costs, and resource needs

This action can be implemented with assistance from a professional planner on staff. For many local governments, changes in zoning ordinances can take up to a year to conduct background research, review existing ordinance language, draft new language, consult with a local government attorney and pass new or revised legislation. Consultants are very helpful resources in crafting the language and determining the most appropriate changes to accomplish local goals.

D. Which local governments implement this action? Which departments within the local government are most likely to have responsibility for this?

Local governments with legislative authority can draft and adopt green parking lot standards. Planning departments (or planning/zoning boards) and local government attorneys are primarily responsible for ensuring the standards are met by applicants.

To be eligible for points for this action, local governments are not required to incorporate these policies into their zoning or comprehensive plan; however, they are encouraged to do so to reduce the risk of legal challenges.

E. How to obtain points for this action

To obtain points for this action, the local government must update the local zoning code or adopt an ordinance to include green parking lot standards. Points are awarded based on the number of best management practices BMPs implemented.

	<u>Possible Points</u>
• Implement 1 green parking lot standard, as described above	1

- Implement 2 green parking lot standards, as described above 2
- Implement 3 green parking lot standards, as described above 3
- Implement 4 or more green parking lot standards, as described above 4

To be eligible for points for this action, local governments are not required to incorporate the parking standards into their zoning or comprehensive plans; however, they are encouraged to do so to avoid a New York Civil Practice Laws and Rules Article 78 challenge.

F. What to submit

A zoning code or ordinance revision that adopts one or more green parking lot standards and was adopted within the past three years must be submitted to receive points for this action.

G. Links to additional resources or best practices

- DEC, Code and Ordinance Worksheet for Development Rules in New York State: http://www.dec.ny.gov/docs/remediation_hudson_pdf/cownys.pdf
- U.S. EPA, Green Parking Lot Resource Guide: [http://www.streamteamok.net/Doc_link/Green%20Parking%20Lot%20Guide%20\(final\).PDF](http://www.streamteamok.net/Doc_link/Green%20Parking%20Lot%20Guide%20(final).PDF)
- New York, NY, Commercial and Community Facility Parking Lot Zoning – Green Standards: http://www.nyc.gov/html/dcp/html/parking_lots/index.shtml
- New York, NY, Green Loading Zones: The Emergence of Zero-Emission Urban Delivery and the NYC Opportunity: http://barrettobay.com/wp-content/uploads/2013/12/Green.Loading.Zones_.NYC_.2013.pdf
- Victoria Transport Policy Institute, Parking Solutions: <http://www.vtpi.org/tdm/tdm72.htm>
- San Francisco Municipal Transportation Agency, Curb Colors: <http://www.sfmta.com/getting-around/parking/curb-colors>
- WXY architecture + planning, Policy and Planning for the Last Mile: <http://www.utrc2.org/sites/default/files/Adam-Lubinsk-Policy-and-Planning-for-last-mile.pdf>
- Automobile, Current Trends in Small Cars-Small is Big: http://www.automobilemag.com/features/news/1004_current_trends_in_small_cars/view_all.html

H. Recertification requirements

The recertification requirements are the same as the initial certification requirements.

6.9 ADOPT A COMPLETE STREETS POLICY

Pending finalization of review procedures, documentation of this action cannot be accepted at this time.

Action pathway phase: Assess, Plan and Govern

Eligibility timeline: Any time prior to the application date

Total possible points: 4

A. Why is this action important?

Streets are the main arteries of a community, moving people, goods and services from one place to another. A Complete Streets approach to designing our roads incorporates safety, livability, and a place for all users – bicyclists, public transportation, pedestrians, and automobiles. Complete Streets design can include more vegetation to provide shade and a buffer from traffic, and it can include green infrastructure to better manage stormwater. As stated in the New York State Complete Streets Act of 2011, “Complete Streets will contribute to a ‘cleaner, greener transportation system” and “more citizens will achieve the health benefits associated with active forms of transportation while traffic congestion and auto related air pollution will be reduced.”⁶

B. How to implement this action

According to the National Complete Streets Coalition, “Complete streets can be achieved through a variety of policies: ordinances and resolutions; rewrites of design manuals; inclusion in comprehensive plans; internal memos from directors of transportation agencies; policies adopted by city and county councils; and executive orders from elected officials.” The coalition assists local governments in developing Complete Streets policies by providing step-by-step guidance, including policy elements and model language. As with any change in local laws and policies, please consult with the local government attorney for guidance on drafting and enacting a Complete Streets policy. CSCs are encouraged to contact the New York State Department of State Division of Local Services for training, technical assistance and legal guidance on complete streets policies (<http://www.dos.ny.gov/lg/index.html>).

C. Timeframe, project costs, and resource needs

This action can be implemented with assistance from a professional planner. For many local governments, resolutions and policy changes can take up to a year to conduct background research, draft new language, consult with a local government attorney and enact. Consultants can be resources in crafting the language and determining the most appropriate changes to accomplish local goals.

D. Which local governments implement this action? Which departments within the local government are most likely to have responsibility for this?

Local governments with legislative authority can draft and adopt a Complete Streets policy. Planning departments (or planning boards) and local government attorneys are typically responsible for implementing this action. Municipal committees, such as the CSC task force, conservation advisory councils or environmental conservation committees may also be involved.

E. How to obtain points for this action

To obtain points for this action, the local government must adopt a Complete Streets resolution or policy. To be eligible for points for this action, local governments are not required to incorporate these policies into their zoning or comprehensive plan; however, they are encouraged to do so to reduce the risk of legal challenges.

F. What to submit

Please submit an electronic copy or link of the Complete Streets policy that was adopted within the past five years to receive points for this action.

6 NY State Department of Transportation, Complete Streets:
<https://www.dot.ny.gov/programs/completestreets>

G. Links to additional resources or best practices

- New York State Complete Streets Act and sample resolutions or policies: <https://www.dot.ny.gov/programs/completestreets>
- Smart Growth America – National Complete Streets Coalition: <http://www.smartgrowthamerica.org/complete-streets>
- Kingston Complete Streets Policy: <http://www.kingston-ny.gov/content/120/2336/2344/default.aspx>
- Buffalo Complete Streets Policy: <http://www.ci.buffalo.ny.us/Home/CityServices/BicyclePedestrianAdvisoryBoard/CompleteStreets>

H. Recertification requirements

The recertification requirements are the same as the initial certification requirements.

6.10 IMPLEMENT STRATEGIES THAT SUPPORT BICYCLING AND WALKING

Action pathway phase: Implement

Eligibility timeline: Currently active

Total possible points: 10

A. Why is this action important?

Biking is a low cost, carbon-free transportation option that helps to reduce greenhouse gas emissions and enhance the sustainability of communities.

B. How to implement this action

Local governments have a range of strategies they can implement to improve the infrastructure for cycling in their communities:

- Develop a bicycle and pedestrian master plan (or similar plan)
- Expand and improve bike paths and bike lanes
- Improve bike parking
- Improve bike signage
- Develop a bike share program

For communities that wish to improve the biking rates in their communities, they often begin the process by developing a bicycle (and pedestrian) plan. This can be a standalone plan or incorporated into another planning document, such as a comprehensive plan. Either way, this helps local governments to define their priorities and identify strategies most appropriate for their communities.

CSCs are encouraged to contact the New York State Department of State Division of Local Services for training, technical assistance and legal guidance on strategies that support bicycling (<http://www.dos.ny.gov/lg/index.html>) and the New York State Department of Transportation (DOT) for guidance regarding transportation projects (<https://www.dot.ny.gov/about-nysdot/contact>).

C. Timeframe, project costs, and resource needs

The timeframe and costs associated with these strategies depends on the strategy selected and the degree to which it is implemented in the community. Local governments may wish to partner with organizations or groups with complementary missions, which may help with developing a bicycle and pedestrian plan, and creating signage or sponsoring a bike share program, for example.

D. Which local governments implement this action? Which departments within the local government are most likely to have responsibility for this?

This action is applicable to all local governments, although some of the strategies are more relevant to more densely populated communities. The department of transportation is most likely to have responsibility for the tasks associated with this action. However, in some cases these efforts might be undertaken by a county or regional council, with input from local government representatives. Local government staff are also encouraged to work with any relevant community committees, such as conservation advisory councils or biking advocacy groups.

E. How to obtain points for this action

Local governments can earn points for this action by implementing the strategies listed below:

	<u>Possible Points</u>
• Develop a bicycle/pedestrian master plan (or similar plan)	2
• Expand and improve bike paths and bike lanes	2
• Improve bike parking	1
• Improve bike signage	1
• Develop a bike share program	4

To be eligible for points for this action, local governments are not required to incorporate these policies into their zoning or comprehensive plan; however, they are encouraged to do so to reduce the risk of legal challenges.

F. What to submit

In order to achieve points for this action, local governments must submit documentation demonstrating which strategies have been implemented. Any plans, reports, photographs, program details, websites, or other materials that demonstrate the implementation of strategies will be eligible for points.

G. Links to additional resources or best practices

- DOT, Transportation Alternatives Program, <https://www.dot.ny.gov/tap>
- Victoria Transport Policy Institute, Transportation Demand Management Encyclopedia, Strategies to Make Cycling Convenient, Safe and Pleasant: <http://www.vtpi.org/tdm/tdm93.htm>
- Victoria Transport Policy Institute, Transportation Demand Management Encyclopedia, Strategies to Make Walking Convenient, Safe and Pleasant: <http://www.vtpi.org/tdm/tdm92.htm>
- Sample Bike Plans: <http://www.bicyclinginfo.org/develop/sample-plans.cfm>
- Poughkeepsie-Dutchess County Transportation Council Bicycle and Pedestrian Plan: <http://www.co.dutchess.ny.us/countygov/departments/transportationcouncil/21810.htm>

- Bike Sharing in the United States: State of the Practice and Guide to Implementation, September 2012: <http://www.bicyclinginfo.org/promote/bikeshareintheus.pdf>

H. Recertification requirements

The recertification requirements are the same as the initial certification requirements.

6.11 INSTALL ELECTRIC-VEHICLE INFRASTRUCTURE

Action pathway phase: Implement

Eligibility timeline: Currently active

Total possible points: 8

A. Why is this action important?

Electric vehicles can help increase energy security, improve fuel economy, lower fuel costs, and reduce greenhouse gas emissions.

B. How to implement this action

Installing electric-vehicle (EV) infrastructure takes careful planning and coordination. Based on a most recent feasibility study conducted for the City of Albany, NY, several initial steps must be taken to plan for EVs in your community:

1. Assess current opportunities to support EV infrastructure in your community and throughout the region
2. Identify criteria for strategic placement of charging infrastructure
3. Identify policies and regulations for EV-friendly zoning, infrastructure, and technology
4. Conduct a thorough review of best practices and their applicability to your local government
5. Determine recommendations for optimal locations for siting charging stations
6. Develop recommendations on incorporating EVs into your local government fleet

Local governments throughout New York State have received funding through NYSERDA, NYS Department of Transportation and the U.S. Department of Energy to install EV charging stations. Local governments should investigate funding options to support their EV planning efforts from these and other sources.

All electric-vehicle charging infrastructure installations must adhere to the National Electrical Code and State Building Code.

C. Timeframe, project costs, and resource needs

This action can take several years to implement, especially if a full feasibility study is conducted for the local government. The project costs can vary widely depending on whether a consultant is secured, the depth of the study, funding available to support the capital costs of the charging stations, and staff time needed to support this effort.

D. Which local governments implement this action? Which departments within the local government are most likely to have responsibility for this?

Any local government can implement this action. The planning department, planning board, or the department of public works are typically responsible.

E. How to obtain points for this action

Points are earned for installations of one or more electric vehicle charging stations by the municipality. The charging station must have been funded by the municipality (use of external funding is permitted) or located on property owned or managed by the municipality. The charging station must also be accessible to the public.

	<u>Possible Points</u>
• Install 1 electric vehicle charging station	2
• Install 2 electric vehicle charging stations	3
• Install 3 electric vehicle charging stations	4
• Install 4 electric vehicle charging stations	5
• Install 5 electric vehicle charging stations	6
• Install 6 electric vehicle charging stations	7
• Install 7 or more electric vehicle charging stations	8

F. What to submit

Local governments should submit the steps taken to install the EV charging station(s), including the funding source(s), stakeholders involved, an electronic copy of the feasibility study (if applicable), timeline for completion, and photos of the installed charging station(s).

G. Links to additional resources or best practices

- Albany, NY, Electric Vehicle Feasibility Study:
http://www.afdc.energy.gov/fuels/electricity_benefits.html
- Albany, NY, Electric-Vehicle Readiness Checklist:
http://www.albansustainability.org/documents/Albany_EV_Final%20Plan.pdf
- Transportation and Climate Initiative of the Northeast, Electric Vehicle Documents:
<http://www.transportationandclimate.org/northeast-electric-vehicle-network-documents>
- NYSERDA, Alternative Vehicle Program: <http://www.nyserda.ny.gov/BusinessAreas/Energy-Innovation-and-Business-Development/Research-and-Development/Transportation/Alternative-Fuel-Vehicles.aspx>
- U.S. Department of Energy, Alternative Fuels Data Center:
http://www.afdc.energy.gov/fuels/electricity_benefits.html

H. Recertification requirements

During recertification, CSCs will be awarded half of the original number of points awarded for each station upon demonstration that the station(s) is still in operation. CSCs will be awarded additional points according to the schedule above for station(s) installed after the original certification.

6.12 IMPLEMENT STRATEGIES THAT INCREASE PUBLIC TRANSIT RIDERSHIP AND ALTERNATIVE TRANSPORT MODES

Action pathway phase: Implement

Eligibility timeline: Currently active

Total possible points: 10

A. Why is this action important?

By increasing ridership, a community can maximize the benefits of public transportation, including reduced greenhouse gas emissions from single-occupancy vehicles, lower gasoline consumption, reduced congestion, enhancement of personal mobility (especially those without a vehicle), and it provides jobs and other economic opportunities.

B. How to implement this action

There are a number of ways that local governments can implement strategies to increase the use of public transportation. Each of the strategies strives to reduce some of the barriers to transit ridership such as cost of public transit, distance a passenger needs to travel to access transit, shelter at the transit stop, access to bicycle and pedestrian facilities, and parking if the passenger is driving to a central spot to take transit into an urban area. Local governments should start this process by investigating the needs of the community. Who currently takes public transit? What types of public transportation is offered? Where are the routes? Are they serving the existing demand and need for public transportation?

After determining the need, local governments can use some of the following strategies to increase ridership:

- Develop shuttle system to trains
- Improve walkways, sidewalks and/or bikeways to trains and buses
- Create covered, secure bike racks
- Ensure adequate car parking near bus stops
- Encourage car sharing
- Provide incentives directly to riders or work with local employers to provide incentives to employees for using public transit
- Coordinate with a regional transit agency or neighboring community to expand access to public transit within the region

Although some of these strategies require capital investment, the local government should investigate which options will fit its needs and result in increased ridership. One size does not fit all – local governments should choose the strategies that fit the needs of their population.

CSCs are encouraged to contact the New York State Department of State Division of Local Services for training, technical assistance and legal guidance on policies to promote transit ridership and use of alternative transportation (<http://www.dos.ny.gov/lg/index.html>) and the New York State Department of Transportation (DOT) for guidance regarding transportation projects (<https://www.dot.ny.gov/about-nysdot/contact>) .

C. Timeframe, project costs, and resource needs

Many of the strategies used to increase transit ridership require staff time to plan and capital investment to fund them; for example, constructing sidewalks and bus shelters and installing bike racks. Regional planning agencies and metropolitan planning organizations are great resources for data and conducting needs assessments. They may also be able to assist with regional coordination between neighboring communities. The timeframe to implement this action can be anywhere from six months to several years, depending on the costs and coordination required to implement specific strategies.

D. Which local governments implement this action? Which departments within the local government are most likely to have responsibility for this?

Any local government can implement this action. However the scale of this action will vary based on the population and location of the community. Departments of public works, transit agencies (where applicable), planning departments, and planning boards are typically responsible for this action.

E. How to obtain points for this action

A local government can implement any or all of the following strategies to achieve points for this action:

	<u>Possible Points</u>
• Develop shuttle system to trains	3
• Improve walkways, sidewalks and/or bikeways to trains and buses	2
• Create covered, secure bike racks	1
• Ensure adequate car parking near bus stops	1
• Encourage or promote a car-sharing program	1
• Provide transit incentives directly to riders or through local employers	1
• Coordinate with a regional transit agency or neighboring community to expand access to public transit within the region	1

F. What to submit

Local governments must submit documentation that the strategies have been implemented. Documentation can include shuttle website and schedules, funding source and photographs of upgraded sidewalks or bikeways, funding source and photographs of bike racks, specific incentives provided to riders, incentives provided to employees and the employer(s) that offer those incentives, tiered rate structure for transit fares, and any partnerships with regional transit agencies or neighboring communities. These strategies must be actively implemented at the time of submission.

G. Links to additional resources or best practices

- DOT, Transportation Alternatives Program, <https://www.dot.ny.gov/tap>
- DOT, Public Transportation: <https://www.dot.ny.gov/divisions/policy-and-strategy/public-transportation>
- Huntington, NY, Resident Hybrid/Alternative Fuel Vehicle Parking Fee Waiver: http://huntingtonny.gov/department_details.cfm?ID=19
- Victoria Policy Institute, Transportation Demand Management Encyclopedia, Public Transit Improvements: <http://www.vtppi.org/tdm/tdm47.htm>
- CarSharing.net: <http://www.carsharing.net/where.html>

H. Recertification requirements

The recertification requirements are the same as the initial certification requirements.

6.13 IMPLEMENT A SAFE ROUTES TO SCHOOL PROGRAM

Action pathway phase: Implement

Eligibility timeline: Currently active

Total possible points: 3

A. Why is this action important?

Safe Routes to School programs work to encourage students to walk and bike to school through infrastructure upgrades and education. Implementing this action decreases congestion around schools, improves air quality, reduces greenhouse gas emissions, and increases the health and well-being of our children.

B. How to implement this action

The National Center for Safe Routes to School recommends the following steps to implementing a Safe Routes to School program:

1. Bring together the right people
2. Hold a kick off meeting and set a vision
3. Gather information and identify issues
4. Identify solutions
5. Make a plan
6. Implement the plan and get people moving
7. Evaluate, adjust and keep moving

CSCs are encouraged to contact the New York State Department of State Division of Local Services for training, technical assistance and legal guidance on Safe Route to School programs (<http://www.dos.ny.gov/lg/index.html>) and the New York State Department of Transportation (DOT) for guidance regarding transportation projects (<https://www.dot.ny.gov/about-nysdot/contact>).

C. Timeframe, project costs, and resource needs

Safe Routes to School programs require funding and significant staff time to implement. Safe Routes to School funds may be available through the DOT's Transportation Alternatives Program (TAP).

D. Which local governments implement this action? Which departments within the local government are most likely to have responsibility for this?

Any local government/school district can implement this action. The school department, with assistance from the planning department, planning board, and department of public works, is usually responsible for implementation.

E. How to obtain points for this action

To obtain points for this action, a local government/school district must make a commitment to, and implement, a Safe Routes to School program for one or more of the schools in the community.

F. What to submit

Local governments should submit a website and other documents (including education materials) that outline the details associated with the program, including routes and safety features for students, stakeholders involved, funding source, any events and activities included in the program,

any metrics associated with successful implementation of the program. The program must be currently active.

G. Links to additional resources or best practices

- DOT, Safe Routes to School, <https://www.dot.ny.gov/safe-routes-to-school>
- DOT, Transportation Alternatives Program, <https://www.dot.ny.gov/tap>
- National Center for Safe Routes to School: <http://www.saferoutesinfo.org/>

H. Recertification requirements

The recertification requirements are the same as the initial certification requirements.

6.14 IMPLEMENT TRAFFIC CALMING MEASURES

Pending finalization of review procedures, documentation of this action cannot be accepted at this time.

Action pathway phase: Implement
Eligibility timeline: Any time prior to the application date
Total possible points: 5

A. Why is this action important?

Traffic calming measures create and preserve a sense of place in a community and treat the street as a *part* of the community it is traveling through – not the governing feature. Slowing traffic down encourages bicycle and pedestrian use by increasing safety and improving the quality of life in an area, while keeping the traffic moving, and helps to manage stormwater through roadside vegetation. Some traffic calming measures like narrowing streets and adding vegetation can also help manage stormwater.

B. How to implement this action

The Project for Public Spaces encourages local governments to consider a number of issues before they implement specific traffic calming measures. Each traffic calming measure has its own unique applications, and they don't all fit every situation. Please consider the following questions before you get started:

- Do emergency and service vehicles use the area? Do school buses?
- Is there a problem with through traffic?
- What are the surrounding uses? Residential? Commercial? Retail? Cultural? Entertainment? Civic? Educational? Other?
- Who are the users? Are there many elderly or disabled people or children?
- What kinds of activities are going on in the vicinity or are planned to go on?
- Are there plans for improving the area? If so, how?
- What kinds of streets are being looked at? What is the ideal speed desired?
- Is transit service available? If so, where and what kind?
- Where is drainage needed?

Depending on the responses to these questions there are a variety of measures that can be implemented to calm traffic in your community⁷. Each of the following is defined and described in the Project for Public Spaces' Traffic Calming 101.

- Diagonal Parking (see note below)
- Changing One-Way Streets to Two-Way
- Widening Sidewalks/Narrowing Streets and Traffic Lanes
- Bulbs – Chokers – Neckdowns
- Chicanes
- Roundabouts
- Traffic Circles
- Raised Medians
- Tight Corner Curbs
- Diverters
- Road Humps, Speed Tables, and Cushions
- Rumble Strips and Other Surface Treatments

NOTE: DOT recommends the front-in diagonal parking technique if there is a median separating travel lanes. Without a median, front-in diagonal parking is unsafe, but back-in diagonal parking method is acceptable.

CSCs are encouraged to contact the New York State Department of State Division of Local Services for training, technical assistance and legal guidance on traffic-calming measures (<http://www.dos.ny.gov/lg/index.html>) and the New York State Department of Transportation (DOT) for guidance regarding transportation projects (<https://www.dot.ny.gov/about-nysdot/contact>).

C. Timeframe, project costs, and resource needs

Traffic calming techniques can be implemented inexpensively and tailored to fit the needs of the specific circumstance in your jurisdiction. With some coordination, these measures can be implemented within a couple of weeks to months at little to no capital costs. Staff time (including some police department coordination as needed) will be necessary. For capital improvements projects (as described above), staff time and potentially consultant services will be needed to implement the measures.

D. Which local governments implement this action? Which departments within the local government are most likely to have responsibility for this?

Any local government can implement this action as long as the measures are on local roads. Departments of public works or transportation are typically responsible for this action.

E. How to obtain points for this action

Local governments need to implement at least one traffic calming measure to earn points for this action.

	Possible Points
• Implement 1 traffic calming measure	1
• Implement 2 traffic calming measures	2

⁷<http://www.pps.org/reference/livememtraffic/#DIAGONAL%20PARKING>

- Implement 3 traffic calming measures 3
- Implement 4 traffic calming measures 4
- Implement 5 traffic calming measures 5

F. What to submit

A local government must submit evidence that the traffic calming measures have been implemented, such as maps, plans, reports, or photographs. The measure(s) may have been implemented at any time to be eligible for points.

G. Links to additional resources or best practices

- DOT Highway Design Manual – Chapter 25 Traffic Calming:
https://www.dot.ny.gov/divisions/engineering/design/dgab/hdm/hdm-repository/chapt_25.pdf
- Project for Public Spaces, *Traffic Calming Toolbox*:
<http://www.pps.org/reference/livememtraffic/>
- Victoria Policy Institute, Transportation Demand Management Encyclopedia, Traffic Calming: <http://www.vtpi.org/tdm/tdm4.htm>

H. Recertification requirements

The recertification requirements are the same as the initial certification requirements.

6.15 ADOPT AND ENFORCE AN ANTI-IDLING ORDINANCE

Action pathway phase: Assess, Plan, and Govern

Eligibility timeline: Currently active

Total possible points: 3

A. Why is this action important?

Engine idling is a common problem around schools, rest stops and retail locations. In addition to wasting fuel and polluting the local environment, it contributes to the transportation sector’s portion of greenhouse gas emissions. Adopting anti-idling policies requires that drivers shut off their engines to reduce harmful emissions and improve air quality in public places.

B. How to implement this action

Local governments have the authority to restrict idling within their borders and to set more stringent standards than state and federal governments. Local governments can establish anti-idling policies governing local government vehicles or laws governing all vehicles, and can institute anti-idling programs that include public education and law enforcement.

Enforcement and public awareness are crucial to the success of anti-idling laws. The Center for Clean Air Policy has identified methods to encourage compliance with anti-idling laws through public outreach and enforcement:

- Public education – including signage and literature that inform the public about the law and about the environmental damage, waste and health effect of emissions caused by idling

- Penalties – such as fines, for idling infractions
- Enforcement – especially targeted in areas or locations where idling is common⁸

As with any change in local laws and policies, please consult with the local government attorney for guidance on drafting and enacting the new legislation or policy.

C. Timeframe, project costs, and resource needs

Anti-idling policies can be implemented within a year with local government staff time and resources. Staff time is needed to coordinate the language of the policy, determine the enforcement mechanisms, and launch a public outreach and education campaign. Funding may be available through the state and U.S. EPA to support signage and education materials, but there are a number of resources available that local governments can tailor for their own needs. For anti-idling policies that are actively enforced and involve fines, the revenue from the fines could cover the costs of the enforcement activities.

D. Which local governments implement this action? Which departments within the local government are most likely to have responsibility for this?

Any local government can implement an anti-idling ordinance. The planning department, planning board, health department, and department of public works are typically responsible for this action.

E. How to obtain points for this action

Draft, enact, and enforce an anti-idling ordinance and launch a public education campaign.

	<u>Possible Points</u>
• Adopt an anti-idling ordinance	1
• Enforce anti-idling ordinance	2

To be eligible for points for this action, local governments are not required to incorporate these policies into their zoning or comprehensive plan; however, they are encouraged to do so to reduce the risk of legal challenges.

F. What to submit

To earn points for this action, a local government must submit the anti-idling ordinance that was passed, photographs of the signage, electronic copies of the education materials or other outreach conducted on the ordinance. To receive full points, local governments must also demonstrate how the ordinance is actively being enforced. The law may have been passed at any time to be eligible for points.

G. Links to additional resources or best practices

- Westchester County, NY, Anti-Idling Ordinance:
<http://www.westchesterlegislators.com/LocalLaws/2008LocalLaws/15%20Idling%20Times%20Local%20Law.pdf>
- State of New York Heavy Duty Vehicle Idling Laws:
<http://www.dec.ny.gov/chemical/8585.html>
- Compilation of State, County, and Local Anti-Idling Regulations:
<http://epamap10.epa.gov/website/StateIdlingLaws.pdf>

⁸ NYS Department of Environmental Conservation: <http://www.dec.ny.gov/energy/57108.html>

H. Recertification requirements

The recertification requirements are the same as the initial certification requirements.

6.16 IMPLEMENT TRANSPORTATION TECHNOLOGY SOLUTIONS

Action pathway phase: Implement

Eligibility timeline: Currently active

Total possible points: 5

A. Why is this action important?

Transportation system management strategies focus on optimizing traffic flow and reducing traveler delays. These systems, when implemented, reduce vehicle speeds and vehicle idling time, which improves air quality and reduces greenhouse gas emissions from the transportation sector.

B. How to implement this action

According to the Federal Highway Administration, there are several strategies that can be implemented to address traffic flow and reduce vehicle delays⁹:

- **Traffic signal synchronization and roadway intersection improvements** – Specific projects include traffic signal synchronization, regional congestion management systems, and intersection improvements. Many of these projects involve elements of Intelligent Transportation Systems (ITS).
- **Incident Management/Traveler Information** – Incident management projects include service patrols that assist or remove disabled vehicles from blocking travel lanes, computer systems that control traffic flow through intersections when incidents occur, and monitoring devices that scan roads and freeways for incidents and send help or reroute traffic around incidents.
- **Speed Control** – Speed controls improve safety and also reduce emissions and fuel consumption.
- **Shifting or Separating Freight Movements** – Local governments can regulate the movement of trucks within some areas of the region at certain times, changing the travel speeds for both trucks and other traffic and improving traffic flow.

CSCs are encouraged to contact DOT for guidance regarding transportation projects (<https://www.dot.ny.gov/about-nysdot/contact>).

C. Timeframe, project costs, and resource needs

Staff time, with the assistance of a traffic engineer, is needed to determine the best strategies to implement. Some of the strategies will require additional patrols to manage and enforce the strategy, such as the incident management and speed control measures. Capital costs will include upgrades to existing infrastructure (for example traffic lights), intersection improvements, purchase of ITS equipment, and signage to enforce new speed and freight movement requirements.

9 Federal Highway Administration, Multi-Pollutant Emissions Benefits of Transportation Strategies: http://www.fhwa.dot.gov/environment/air_quality/conformity/research/mpe_benefits/mpe04.cfm

D. Which local governments implement this action? Which departments within the local government are most likely to have responsibility for this?

Any local government can implement this action; however, some of the strategies listed above are not applicable to all local governments (i.e., freight movement or traffic signal synchronization). Departments of public works or transportation are typically responsible for this action.

E. How to obtain points for this action

Local governments can receive up to four points for achieving this action. The following outlines the points associated with the individual strategies within this action:

	<u>Possible Points</u>
• Traffic signal synchronization and roadway intersection improvements	2
• Incident management/traveler Information	1
• Speed control	1
• Shifting or separating freight movements	1

F. What to submit

A local government will receive points for this action upon submitting documents that outline the specific details of each strategy: how was it implemented? What was the funding source? Please submit engineering plans, as appropriate, or policies and procedures that include how the strategy is being implemented (i.e., what are the specific guidelines for separating freight movement with the jurisdiction?).

G. Links to additional resources or best practices

- Federal Highway Administration, Multi-Pollutant Emissions Benefits of Transportation Strategies: http://www.fhwa.dot.gov/environment/air_quality/conformity/research/mpe_benefits/mpe04.cfm
- ITS America Knowledge Center: <http://www.itsa.org/knowledgecenter>
- Central Massachusetts Regional Planning Commission ITS Toolkit: <http://www.cmrpc.org/its-toolkit>
- European Commission 2Decide Project ITS toolkit: <http://www.its-toolkit.eu/2decide>

H. Recertification requirements

The recertification requirements are the same as the initial certification requirements.

Natural Resource and Open Space Preservation

6.17 DEVELOP A NATURAL RESOURCE INVENTORY

Pending finalization of review procedures, documentation of this action cannot be accepted at this time.

Action pathway phase: Assess, Plan and Govern

Eligibility timeline: Within 10 years prior to the application date

Total possible points: 5

A. Why is this action important?

A natural resource inventory (NRI) is a document that inventories the natural resources of an area, both physical (e.g., geology) and biological (e.g., forests), and provides a foundation for municipal land-use and conservation planning. Communities can use their NRIs to identify priorities and determine appropriate strategies for protecting important natural features and the vital services they provide. A complete and up-to-date inventory can be helpful for communities updating municipal plans, developing ordinances or overlay zones, and reviewing development projects, as well as a tool for county or regional planning and project assessment.

B. How to implement this action

Developing a natural resource inventory can be part of an existing effort, such as the development of a comprehensive or open space plan, or it can be a standalone project. Project leaders should work with the public and stakeholders to collect input and feedback.

First, identify the resources you will inventory, then gather data about those resources in geographic format (e.g., using a geographic information system), and write a report explaining those resources in your community. Providing an assessment of resource quality and conservation considerations is helpful. Some basic information to address in a natural resource inventory is physical geography, geology, soils, watersheds, surface water and groundwater, wetlands, floodplains, land-use, vegetation, and wildlife. Other resources you might include are conserved lands, continuous habitat blocks, unique natural areas, historic sites, farmland, working forests, recreational areas and scenic resources. Much of this information can be obtained from publically available sources. The regional sustainability plans completed under the Cleaner, Greener Communities program will provide information on natural resources.

CSCs are encouraged to contact the New York State Department of State Division of Local Services for training, technical assistance and legal guidance on development of natural resource inventories (<http://www.dos.ny.gov/lg/index.html>).

C. Timeframe, project costs, and resource needs

It should take six-twelve months to develop a basic natural resource inventory that pulls together key information. A consultant to develop maps and text for a basic natural resource inventory typically costs \$10,000 or less. Communities that want to collect new information to fill data gaps should expect to pay more. A geographic information system (GIS) is vital to creating a good inventory.

D. Which local governments implement this action? Which departments within the local government are most likely to have responsibility for this?

Any New York State local government can create a natural resource inventory. However, due to the overlapping and interconnected nature of many natural resources, communities may wish to develop the inventory at a regional or county level so as to leverage each other's efforts. A local government committee, such as a Conservation Advisory Council would typically lead the development of the inventory. It may be supported by planning staff, or more typically, a consultant.

E. How to obtain points for this action

Local governments can earn points for this action by submitting a completed natural resource inventory. The inventory must process and report content must be substantially similar to those described by *Natural Resources Inventories: A Guide for New Hampshire Communities and Conservation Groups* (available at <http://drupal.nhcitizenplanner.org/content/nri-resources>).

F. What to submit

Local governments should submit a copy of the natural resource inventory, along with any documentation demonstrating that the inventory was formally adopted, if applicable.

G. Links to additional resources or best practices

- New Hampshire Citizen Planner, Natural Resources Inventories–Resources: <http://drupal.nhcitizenplanner.org/content/nri-resources>
- Westchester County, NY, Natural Resource Inventory Maps: <http://giswww.westchestergov.com/wcgis/NRI.htm>
- Town of Eden, NY, Natural Resource Inventory: http://www.edenny.org/images/fina_nat_res_inv.pdf
- Natural Resource Inventory and Analysis for City or County Guidance: <http://files.dnr.state.mn.us/assistance/nrplanning/community/nrchecklists/inventory.pdf>

H. Recertification requirements

The recertification requirements are the same as the initial certification requirements.

6.18 DEVELOP A LOCAL FORESTRY OR TREE PLANTING PROJECT OR PROGRAM

Action pathway phase: Implement

Eligibility timeline: Within 15 years prior to the application date

Total possible points: 6

A. Why is this action important?

Preserving the tree canopy in our cities, towns, and communities provides a number of environmental and economic benefits in our communities, including reducing energy use, removing carbon dioxide from the atmosphere, improving air quality, reducing stormwater runoff and creating a sense of place in urban and suburban areas.

B. How to implement this action

A local forestry program can take a number of forms, but should include development of a baseline assessment to focus on the most strategic measures to maintain or expand the local forest and implementation of strategies that work to protect the urban or rural forest. The following strategies can be implemented to build a local forestry or tree planting program:

- Conduct a tree canopy inventory
- Map forested lands
- Enact a tree preservation ordinance
- Implement a large-scale tree planting project
- Participate in one of the State's forest stewardship programs
- Participate in Tree City USA

C. Timeframe, project costs, and resource needs

Creating an urban forestry program or participating in a forest stewardship program will require staff time or coordination with local government staff to collect baseline data and develop maps of the existing tree canopy. If the local government would like to enact a tree preservation ordinance, a local government attorney should be consulted. Access to GIS or the U.S. Forest Service's iTree Program is important for effective planning.

D. Which local governments implement this action? Which departments within the local government are most likely to have responsibility for this?

This action is relevant to any local government. The department or staff members responsible for parks, recreation, public works, or planning are typically responsible for these types of actions. Municipal committees, such as CSC task force, conservation advisory councils or environmental conservation committees may also be involved.

E. How to obtain points for this action

Implement one or more of the following strategies to achieve points for this action:

	<u>Possible Points</u>
• Conduct a tree canopy inventory	2
• Enact a tree preservation ordinance	1
• Implement a large-scale tree planting project	1
• Participate in one of the State's forest stewardship programs	1
• Participate in Tree City USA	1

To be eligible for points for this action, local governments are not required to incorporate these policies into their zoning or comprehensive plan; however, they are encouraged to do so to reduce the risk of legal challenges.

F. What to submit

To achieve points for this action, please submit the completed tree canopy inventory, adopted tree preservation ordinance, documentation of a large-scale planting project, documentation of

participation in the State's forest stewardship programs, and/or the adopted and state-approved forest management plan. The tree preservation ordinance may have been completed any time prior to the application date, but the other strategies must have been completed within 15 years of the application date.

G. Links to additional resources or best practices

- A Municipal Official's Guide to Forestry in New York State: http://www.dec.ny.gov/docs/lands_forests_pdf/guidetoforestry.pdf
- U.S. Department of Agriculture, Forest Service, Urban and Community Forestry: <http://www.fs.fed.us/ucf/>
- U.S. Department of Agriculture, Forest Service, iTree Tool for Assessing and Mapping Community Forests: <http://www.itreetools.org/>
- NYS DEC Urban and Community Forestry: <http://www.dec.ny.gov/lands/4957.html>
- Tree City USA: <http://www2.arborday.org/programs/treeCityUSA/index.cfm?>

H. Recertification requirements

The recertification requirements are the same as the initial certification requirements.

6.19 PRESERVE NATURAL AREAS THROUGH ZONING OR OTHER REGULATIONS

Action pathway phase: Assess, Plan and Govern

Eligibility timeline: Any time prior to the application date

Total possible points: 6

A. Why is this action important?

Natural areas, including forests, wetlands, rivers, lakes, floodplains and coastal shorelines, play an essential role in our communities. They provide clean air and water, stormwater regulation, food and forestry products, scenic areas, outdoor recreation opportunities, and protect important ecological functions. In addition, natural areas often represent a chunk of stored carbon that, if developed would enter the atmosphere and contribute to our emission problems. Functioning ecosystems also sequester carbon, and on a community scale help to mitigate a community's emissions.

B. How to implement this action

There are several techniques that can be used to focus development into areas best suited for development and preserve open space through local zoning or regulations¹⁰:

- **Conservation or cluster development zoning** – allows for flexible lot sizes and calls for an analysis of the land's conservation value to determine the area most suitable for building and for conservation
- **Overlay zoning** –applies a common set of standards to a designated area that may cross other conventional zoning districts. This allows local governments to protect several larger areas

¹⁰ NYS Department of State, *Local Open Space Planning Guide*: http://www.dos.ny.gov/lg/publications/Local_Open_Space_Planning_Guide.pdf

that may encompass several underlying zoning districts.

- **Performance standard zoning** – establishes zones which are based on an allowable environmental impact to the resources of an area opposed to a specific allowable use.
- **Incentive zoning** – provides for a trading agreement between a developer and a local government. In return for maximizing open space a developer is given a bonus, such as increased density on the site.
- **Special use permits** - outlined in the zoning ordinance, the jurisdiction establishes zones that require a special permit to develop to allow for more discretionary review of individual proposals.
- **Subdivision regulations** – govern the manner by which land is divided into smaller parcels. They can include provisions that help to accomplish natural area conservation, such as explicitly protecting wetlands, steep slopes, or floodplains.
- **Site plan review** – may be enacted by separate local law and involves a review of the design for a proposed development on a particular parcel of land. It ensures that the site design meets established criteria, which may include natural resource considerations.
- **Critical Environmental Area (CEA) designation** – is an opportunity available under SEQRA for the protection of natural areas. Local governments may establish CEAs for specific geographic areas within the community containing sensitive or unique features that require protection. Under SEQRA, the potential impact of a Type 1 or unlisted action on the CEA must be evaluated in the determination of significance, ensuring that the resource is specifically addressed during review.

A local government must determine which of these techniques works best for its specific situation. Using a natural resources inventory or other planning effort is highly recommended to determine where zoning ordinances or other regulations may need to be applied. Some local governments may also choose to address these issues as part of the development of a local waterfront revitalization plan. Whichever strategies the local government chooses, it is advised to seek the counsel of the local government attorney.

In addition, local governments should present information, using geospatial software, to local planning boards and to the public to help them visualize the need to conserve existing natural areas and to increase open space where important.

C. Timeframe, project costs, and resource needs

This action can be implemented with assistance from a professional planner on staff. For many communities, changes in zoning ordinances and other regulations can take up to a year to conduct background research, review existing ordinance language, draft new language, consult with a local government attorney and pass new or revised legislation. Consultants and Cooperative Extensions are very helpful resources in crafting the language and determining the most appropriate policy changes to accomplish local goals.

D. Which local governments implement this action? Which departments within the local government are most likely to have responsibility for this?

This action is relevant to any local government. The planning department or planning board and local government attorney are the primary stakeholders responsible for this action. Municipal committees, such as CSC task force, conservation advisory councils or environmental conservation committees may also be involved.

E. How to obtain points for this action

To obtain points for this action, the local government must update the local zoning ordinance or appropriate regulations to protect natural areas.

	<u>Possible Points</u>
• Develop and implement a local zoning ordinance that helps to conserve natural areas	4
• Base local ordinance on strategic conservation of high value areas identified in a natural resource inventory	2

To be eligible for points for this action, local governments are not required to incorporate these policies into their zoning or comprehensive plan; however, they are encouraged to do so to reduce the risk of legal challenges.

F. What to submit

Local governments should submit the zoning amendment, ordinance, or other policy that preserves open space. The updated zoning or policy may have been passed at any time prior to the application date.

G. Links to additional resources or best practices

- DEC, *2013 Open Space Conservation Plan Revision*: <http://www.dec.ny.gov/lands/317.html>
- National Lands Trust, Preserving Open Space: <http://www.natlands.org/services/for-municipalities/preserving-community-open-space/>
- DEC, Conserving Natural Areas and Wildlife in Your Community: <http://www.dec.ny.gov/lands/50083.html>
- DEC, Open Space Protection: Putting Local Plans Into Action: <http://www.dec.ny.gov/lands/92603.html>

H. Recertification requirements

The recertification requirements are the same as the initial certification requirements.